

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:24-CV-00126-KDB-SCR**

**THE SAVINGS BANK MUTUAL  
LIFE INSURANCE COMPANY  
OF MASSACHUSETTS,**

**Plaintiff,**

**v.**

**MADELINE HUGHES,**

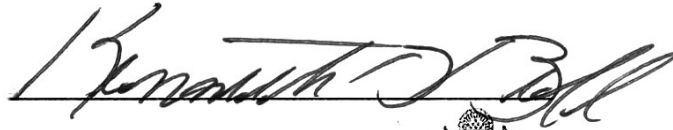
**Defendant.**

**ORDER**

THIS MATTER is before the Court on Plaintiff's Motion for Default Judgment (Doc. No. 9). The Court has carefully considered this Motion, Plaintiff's supporting Memorandum and the full record. An affidavit of service has been filed, and Defendant has not responded, offered a defense or otherwise participated in this action. (Doc. No. 6). However, contrary to the representation in the affidavit of service, the Summons and Complaint was not "delivered to Madeline Hughes at 128 Paradise Circle, Mooresville, NC 28115." Instead, the FedEx Delivery Confirmation states that the papers were delivered to "N. Maya." (Doc. 6-1). Accordingly, as suggested by Plaintiff's Amended Certificate of Service (Doc. No. 11), the Court will defer taking any action on Plaintiff's Motion until Plaintiff serves a copy of its Motion and accompanying Memorandum on the Plaintiff and files a related Affidavit of Service. After the Court is confident that Defendant has been served and had a fair opportunity to respond, it will promptly address the merits of Plaintiff's Motion.

**SO ORDERED ADJUDGED AND DECREED.**

Signed: September 9, 2024

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell

United States District Judge

